

REMARKS

Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. Claims 28-29 and 37-38 have been amended. Claims 28-34 and 36-42 are pending.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 28 and 37 are rejected under 35 U.S.C § 103 as being unpatentable over U.S. Patent No. 5,586,338 issued to Lynch (*Lynch*) in view of U.S. Patent No. 5,159,625 issued to Zicker (*Zicker*). The Applicant submits that claims 28 and 37 are not rendered obvious by *Lynch* in view of *Zicker* for at least the reasons described below.

Independent claim 28, as amended, recites:

reading a first system identification number (“SID”) broadcast in a first frequency band, said first SID identifying a particular cellular service provider;
determining whether said first SID matches a SID stored in a SID table;
switching to a second frequency band and reading a second SID broadcast in said second frequency band if said first SID does not match a SID stored in said SID table, wherein said particular cellular service is identified if said first or second SID matches a SID stored in said SID table; and
determining whether detection of said particular cellular service support is urgent if neither said first nor said second SID are identified in said SID table; and
performing a high priority detection process for detecting said cellular service if detection of said particular cellular service support is urgent.

Amended claim 37 similarly recites determining whether detection of said particular cellular service support is urgent if neither the first nor the second SID are identified in said SID table, and performing a high priority detection process for detecting said cellular service if detection of said particular cellular service support is urgent.

The Office Action states that *Lynch* does not disclose performing a high priority detection process for detecting the cellular service if neither the first or second SID are identified in the SID table. Applicant agrees that *Lynch* does not disclose this limitation.

Zicker discusses permitting the placement of 911 emergency calls “even though service may otherwise be blocked” at column 12, lines 3-5. *Zicker* does not disclose determining whether detection of cellular service support is urgent, and performing a high priority detection process for detecting said cellular service if detecting cellular service support is urgent.

Therefore, *Zicker* does not cure the deficiencies of *Lynch*.

Neither *Lynch* nor *Zicker* discloses determining whether detection of cellular service support is urgent and performing a high priority detection process for detecting said cellular service if detecting cellular service support is urgent. These limitations are recited in claims 28 and 37. Thus, Applicant respectfully submits that no combination of *Lynch* and *Zicker* renders claims 28 and 37 obvious.

Claims 29-34 and 36 depend from claim 28 and claims 38-42 depend from claim 37. For at least the reason that dependent claims include the limitations of the claims from which they depend, Applicant respectfully submits that claims 29-34 and 36 and claims 38-42 are not rendered obvious by *Lynch* in view of *Zicker*.

Claims 31-34 and 39-42 are rejected under 35 U.S.C § 103 as being unpatentable over *Lynch* and *Zicker* in view of U.S. Patent No. 6,311,060 issued to Evans (*Evans*).

The Office Action states that *Evans* discloses that a control message is referred to as a page and SID is carried in the control channel. Whether or not *Evans* discloses this feature, *Evans* does not disclose determining whether detection of cellular service support is urgent and performing a high priority detection process for detecting said cellular service if detecting

cellular service support is urgent, as recited in claims 28-34 and 36-42. Thus, *Evans* does not cure the deficiencies of *Lynch* and *Zicker*. Therefore, Applicant submits that claims 31-34 and 39-42 are patentable over *Lynch*, *Zicker* and *Evans*.

Claims 29, 30 and 38 are rejected under 35 U.S.C § 103 as being unpatentable over *Lynch* and *Zicker* in view *Evans* and further in view of U.S. Patent No. 6,044,265 issued to *Roach* (*Roach*).

The Office Action states that *Roach* discloses identifying the SID by a NPA. Whether or not *Roach* discloses this feature, *Roach* does not disclose, teach, or suggest determining whether detection of cellular service support is urgent and performing a high priority detection process for detecting said cellular service if detecting cellular service support is urgent, as recited in claims 28-34 and 36-42. Therefore, *Roach* does not cure the deficiencies of *Lynch*, *Zicker* and *Evans*. Thus, Applicant submits that claims 29, 30, and 38 are patentable over *Lynch*, *Zicker*, *Evans*, and *Roach*.

CONCLUSION

In view of the amendments and remarks set forth above, Applicant submits that claims 28-34 and 36-42 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number
02-2666.

Respectfully submitted,
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Date: 9/25/03

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